

Local Education Agency
Ad Hoc Workgroup Meeting
May 2, 2007 Meeting Summary

Location: Sacramento City Unified School District

ATTENDEES:

Name	Organization/Title
1. Liz Touhey	CDHS, Medi-Cal Benefits Branch
2. John DiCecco	Los Angeles Unified School District (USD)
3. Laura Baynham	Mendocino County Office of Education (COE)
4. Cathy Bennett	Sacramento City USD
5. Susan Bier	Konocti USD
6. Margie Bobe	Los Angeles USD
7. Sherry Purcell	Los Angeles USD
8. Anysia Drumheller	Butte COE
9. Judy Holzapfel	Glenn COE
10. Kevin Harris	Navigant Consulting Inc.
11. Marna Metcalf	Navigant Consulting Inc.
12. Gloria Eng	Navigant Consulting Inc.

Handouts

Each participant received a folder with copies of the following: Agenda, updated Paid Claims Issues Matrix, and Navigant Consulting's PowerPoint presentation. In addition, meeting participants received a copy of the letter on behalf of the LEA Workgroup to Audits and Investigations (A&I), requesting a meeting to discuss the Medi-Cal Payment Error Rate Study.

Purpose

The meeting was convened by the CDHS in partnership with LAUSD. The purpose of the Workgroup is to improve the Local Educational Agency (LEA) Program. The emphasis of the meeting is to strategize various goals and activities aimed at enhancing the Medi-Cal services provided on school sites and access by students to these services, while increasing federal reimbursement to LEAs for the cost of providing these services.

Update on Daucher Bill (AB 2950)

The Daucher Bill, effective January 1, 2007, eliminates the payment reductions associated with claims submitted between the seventh and twelve months after the month of service. AB 2950 will be implemented on July 1, 2007 and effective for dates of service on or after January 1, 2007. LEA claims submitted after the twelfth month of service will continue to be denied. EDS will issue provider notices and inform providers via an LEA provider bulletin.

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Update on Pay and Chase/Free and Appropriate Public Education (FAPE)

Workgroup members discussed concerns regarding retroactive eligibility and the impact on LEAs complying with FAPE. It was noted that the Third Party Liability (TPL) unit of CDHS publishes a notice to specific providers when they are going to update eligibility. Even with this additional information, the Workgroup is still concerned that they cannot rescind a claim that was originally submitted to EDS. The Workgroup expressed that they would like to receive the letter that TPL generates; however, Workgroup members noted that since beneficiaries are not identified, this letter likely won't assist LEAs in attempting to withdraw previously submitted claims.

Update on Speech Equivalency State Plan Amendment (SPA)

The California Attorney General issued an opinion on November 30, 2006 concluding that both the professional clear services credential and the preliminary clear services credential outlined in Assembly Bill 2837 (AB 2837) and Education Code Section 44265.3(a) satisfy the federal standards for Medicaid reimbursement. Before this ruling can be implemented, the speech-language equivalency SPA must be approved by the Centers for Medicare and Medicaid Services (CMS). The SPA is being reviewed internally at CDHS, and is expected to be resubmitted to CMS shortly.

Workgroup members discussed the necessity for submitting a SPA to CMS on this issue, since they believe the Attorney General's opinion concludes that practitioners holding the new credentials are equivalent to licensed practitioners. Workgroup members feel that this policy change is a semantics issue rather than an issue that needs CMS approval. Regardless of whether or not a SPA is required, regulations would need to be changed to specify the new types of credentialed practitioners.

Action:

What: Medi-Cal Benefits Branch to discuss this issue with Office of Legal Services.

Who: CDHS

When: ASAP

Statewide Other Health Coverage (OHC) Precedent File

As opposed to having each LEA maintain an OHC precedent file, Workgroup members discussed the possibility of creating a statewide precedent file to document OHC denials. However, HIPAA standards are a big consideration in creating such a file. The Workgroup discussed other ways to gather the OHC information on an annual basis. The Workgroup suggested that they could write a letter to insurers promoting response to the CDHS OHC survey. Workgroup members suggested that the letter could contain a link to the LEA website where insurers could respond to the survey online. The Workgroup discussed the possibility of requesting TPL data to analyze what types of claims are paying for LEA services, versus those that are not being paid by OHC.

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LEAs estimate that licensed speech therapy, occupational therapy and physical therapy services are most likely to be covered by private insurance. Private HMO insurers likely would not cover any LEA services.

Action:

What: Create a concept letter to insurers (possibly in collaboration with CDHS) requesting insurers to complete the survey.

Who: John and Laura

When: To update Workgroup on progress at the next meeting

Goals for Fiscal Year (FY) 2007/08

The Workgroup specified a goal for FY 2007/08 to develop a better relationship with CDE, including possibly creating a CDE co-chair and working to develop a forum to discuss technical and educational issues.

Action:

What: Workgroup to send CDE a letter requesting CDE representation at Workgroup meetings (specifically a Special Education representative).

Who: Workgroup

When: No timeframe specified

The Workgroup expressed an interest in developing a summary document of accomplishments for the 2006/07 fiscal year. This document could be in the form of a timeline and used to provide history of the LEA Program, to provide status to the Secretary on work accomplished to date, and to detail milestones for the district superintendents.

Action:

What: Develop timeline of LEA Program events for FY 2006/07.

Who: Navigant Consulting, Inc.

When: No timeframe specified; Navigant Consulting to present at next meeting

The Workgroup discussed the organization and composition of the LEA Workgroup representatives. Geographic composition was reviewed and there was discussion on inviting additional members to join the group, particularly from the Bay Area and Southern California (Long Beach or San Diego). In addition, professional associations are not well represented at every meeting. Workgroup members suggested that representatives from organizations including School Psychology, Nursing, Speech and Special Education would be beneficial. However, it was discussed that these association representatives may not need to attend every meeting. Small areas of Northern California are currently well represented in the Workgroup.

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Action:

What: Review paid claims data to determine if additional representation on the LEA Workgroup would be beneficial (e.g., Out of Bay Area LEAs, who is billing the most? What is the percentage of claims by type of service? Are there any LEAs that may represent different issues?)

Who: Navigant Consulting, Inc.

When: ASAP

The Workgroup discussed possibly having post-SPA implementation training on LEA billing and policy. The Workgroup suggested that WebEx could be used to provide training so that it is easier to access training and more LEAs can attend. Navigant Consulting will look into WebEx as a training possibility and determine resources required (recording the session). For this type of training, the Workgroup suggested that 45 minute segments would be appropriate, including time for a question and answer session. It may be more efficient to ask LEAs to submit written questions before the training and schedule training around areas of interest.

Action:

What: Research resource requirements for WebEx (including the resources required to record the session).

Who: Navigant Consulting, Inc.

When: No timeline specified; Navigant Consulting to present at next meeting

Action:

What: Workgroup to develop priority list of training topics for fiscal year 2007/08 (based on the 2006 training manual).

Who: Workgroup members

When: Discussion point at June meeting

Update on Audits and Investigations (A&I) Meeting

The Workgroup met with A&I recently regarding the Medi-Cal Payment Error Rate Study. At the meeting, A&I provided redacted documentation from LEAs to show how the study findings were arrived at for each LEA. Eight claims were provided for review during the meeting. LEAs provided input on the types of documentation maintained by schools and defined some of the terms and abbreviations found in the documentation. There were several claims that were still in-process at A&I; for these claims, the Workgroup representatives provided information and expertise on the narrative found in the submitted documentation.

Workgroup representatives noted that the meeting was collaborative, helpful to both groups, and that A&I was willing to collaborate with the Workgroup on future audit issues. Workgroup members noted that if a finding is cited, the LEA should write a letter of contestment to follow-up with A&I and clear up any outstanding issues. In addition, practitioners should sign progress notes, contact logs and similar

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documentation. At the meeting, A&I agreed to provide notice to LEAs that documentation has been received, and that a letter of disposition would be sent to the LEAs when the contestment is filed.

Action:

What: Workgroup representatives will follow-up with A&I to summarize the discussion and formalize resolution of issues at the meeting.

Who: Workgroup representatives involved in A&I meeting

When: ASAP

Regulations Update

CDHS and Navigant Consulting continue to work with the Office of Regulations to incorporate feedback and necessary changes into the proposed regulations. The proposed regulations package will update State regulations to reflect the new program changes as a result of SPA 03-024. The proposed regulations package was reviewed by Office of Legal Services (OLS), who identified several issues related to medical transportation, defining assessment and treatment services, and publishing allowable rates. CDHS and Navigant Consulting will continue to follow-up with OLS to resolve the issues recently identified in the regulations package.

Action:

What: Discuss necessity of publishing interim rates with OLS, due to the cost-based nature of the LEA Program.

Who: CDHS

When: ASAP

Claims Processing Issues

CDHS and Navigant Consulting reviewed all outstanding claims processing issues, including three new issues that were recently identified by Workgroup members. Outstanding claims processing issues were discussed by category: issues that have been resolved, issues in process of being resolved, issues requiring additional follow-up, issues awaiting CDHS policy direction, and newly identified issues. The Workgroup was in agreement that a follow-up conference call with PSD/EDS would be helpful on issues that are specific to LEA software. CDHS will work with PSD to set up a call in the coming weeks with Workgroup representatives that may be experiencing LEA software issues.

July through December 2006 Paid Claims Data

Navigant Consulting provided a brief overview of paid claims data between July 1, 2006 and December 31, 2006. This review included both claims paid under the local X codes, as well as those paid under the national code structure. Claims by type of

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service were discussed, including a breakdown of IEP/IFSP assessment services and treatment services.

Future Workgroup Meeting

The next Workgroup meeting for CDHS and providers will be held in Sacramento on Wednesday, August 1.